

Notice of Allowability

Application No.

10/626,481

Examiner

Guiyoung Lee

Applicant(s)

SHPIZEL, MATVEY B.

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/28/2006.
2. ☒ The allowed claim(s) is/are 1, 4, 6-10, 12, 13 and 24-42.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Prelim./Amdt.

1. Receipt is acknowledged of the amendment filed 06/28/2006.
2. Claims 1, 4, 6-10, 12-13 and 24-42, and claims 2-3, 5, 11 and 14-23 have been cancelled.
3. The drawings were received on 06/28/2006. These drawings are approved.

Terminal Disclaimer

4. The terminal disclaimer filed on 06/28/2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of prior Patent No. 6,604,842 B2 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Allowable Subject Matter

5. Claims 1, 4, 6-10, 12-13 and 24-42 are allowed.
6. The following is an examiner's statement of reasons for allowance: With regard to independent claims 1 and 24, primary reason for allowance is inclusion of claimed limitation that the collecting lens is movable along an optical axis relative to the light source and reflector. Although prior art of record discloses that a collecting lens is placed between a light source and a reflector, the prior art does not disclose the collecting lens is movable between the light source and the reflector. Further, the prior art does not teach that a diameter of the parallel light beam is less than the diameter of the reflector. With regard to independent claim 30, no other prior art discloses that a collecting lens is placed between said light source and said reflector, wherein said collecting lens is disposed a first distance from said source relative to said optical axis and

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said reflector is disposed a second distance from said source relative to said optical axis, where the first distance is at least $1/2$ of the second distance. With regard to independent claim 34, no other prior art discloses that a collecting lens is disposed at a distance from said reflector relative to said optical axis, where the distance is between $1/4$ and $1/2$ of the focal length of the reflector, and wherein said collecting lens is disposed between said light source and said reflector. With regard to independent claim 38, no other prior art discloses that a collecting lens between said light source and said reflector, said collecting lens having a second focal length that is between about 1.25 and about 2.0 times the first focal length of said reflector. Claims 4, 6-10, 12-13, 25-29, 31-33, 35-37 and 39-42 depends on the independent claims 1, 24, 30, 34 and 38. Therefore, claims 1, 4, 6-10, 12-13 and 24-42 are patentable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guiyoung Lee whose telephone number is 571-272-2374. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LGY



Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800

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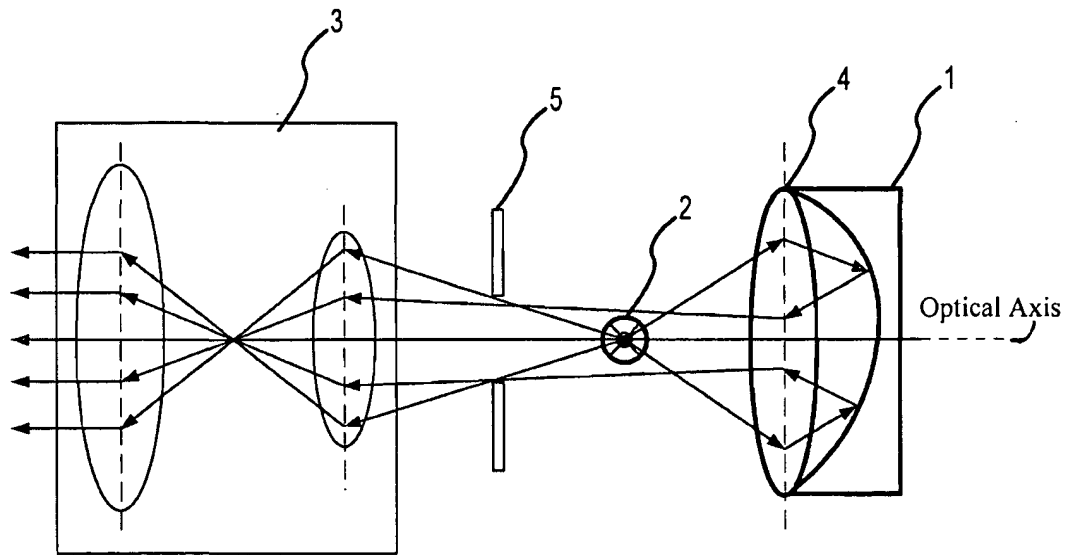


FIG. 1

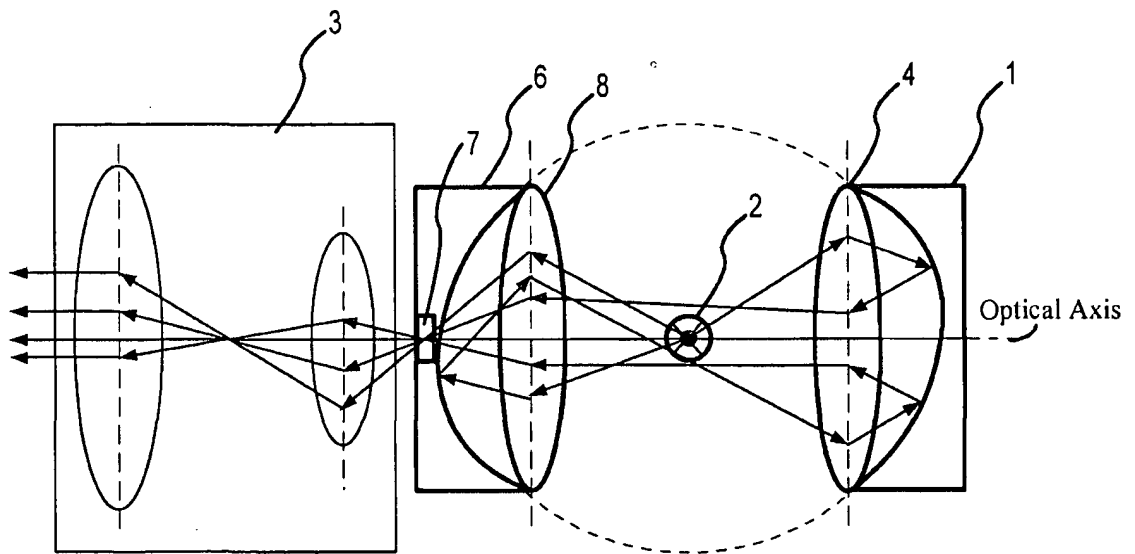


FIG. 2